

Attorney Docket # 4925-84CIP

Serial No. **10/091,038**
Reply dated March 4, 2005
Reply to Office Action dated December 6, 2004**REMARKS**

The Office Action dated December 6, 2004 has been carefully reviewed and considered. Before entry of this Amendment, Claims 1-38 were pending, with Claims 1, 16, and 31 being in independent form. In this Amendment, Claims 1-4, 7-8, 10-12, 14, 16, 19-20, 23-27, 31-33, and 35 are being amended, Claim 13 is being canceled without prejudice, and Claims 39-50 are being added. Claims 39-56 contain no new matter, Claims 39-40 being supported at least by the text from page 28, line 9, to page 32, line 19; Claims 41-42, 44-45, 47, and 49 being supported at least by the text at page 14, lines 2-9, page 17, lines 7-12, and page 32, lines 4-5 and 16-19; Claim 43 being supported at least by Claim 1 as originally filed, FIG. 11, and the text at page 31, line 15, to page 32, line 19; Claim 46 being supported at least by FIGS. 1-3 and 11, as well as the text from page 12, line 2, to page 18, line 15, and at page 31, line 15, to page 32, line 19; Claims 48 and 50 being supported at least by FIG. 11 and its accompanying text at page 31, line 15, to page 32, line 19. After entry of this Amendment, Claims 1-12 and 14-50 will be pending, with Claims 1, 16, 31, 43, and 46 being in independent form.

In the Office Action, independent Claims 1, 16, and 31 (and Claims 2-5, 7, 8, 11-15, 17-21, 23-30, and 32-38 depending therefrom) were rejected under 35 U.S.C. §102(e) as anticipated Eck et al. (US 6,716,103), while the remaining claims, Claims 6, 9, 10, 22, and 32 were rejected under 35 U.S.C. §103 as unpatentable over Eck et al. or the combination of Eck et al. and Jamtgaard (US 6,430,624).

In response, independent Claims 1, 16, and 31 are herein being amended to clarify the nature of the claimed invention. Specifically, the previously pending independent claims are being amended to recite that at least one predefined message will be provided to the user of the wireless terminal based upon the content that the wireless terminal is receiving. After the content-related predefined message is provided to the user, the user chooses whether to transmit the provided predefined message or not. If the user chooses to transmit the content-related predefined message, the message is transmitted to at least one address selectable by the user. Newly-added independent Claims 47 and 50 also recite similar material.

As an example, the user may be using her cellular telephone to listen to a music station (either received directly by the phone or streamed over the Internet through the cellular network). A

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predefined message related to the content (i.e., the received music) is presented to the user, e.g., "Hey, check out what's on music station Z" or "Check out the new Britney Spears song on music station Z". The user can either send the provided content-related predefined message or not. The recipient of the predefined message may be preselected, or selected presently by the user, or selected from a list of pre-entered recipients, etc.

None of the cited prior art, nor any combination of the cited prior art, teaches or suggests such a method or system. Specifically, none of the prior art teaches or suggests presenting the user of a wireless terminal with a predefined message related to the content the terminal is receiving, where the user can choose whether to send the message or not. At least on this basis, withdrawal of the rejection of presently amended independent Claims 1, 16, and 31 is respectfully requested. Furthermore, at least through their dependence on independent Claims 1, 16, and 31, dependent Claims 2-15, 17-30, and 32-42 are believed to be patentable over the cited prior art. Withdrawal of their rejection is also respectfully requested.

On the same basis, it is believed that newly added independent Claims 43 and 46, as well as newly-added Claims 44-45 and 47-50 depending therefrom, are in condition for allowance.

On the basis of the foregoing, it is believed that all presently pending claims are in condition for allowance, which is respectfully requested.

Respectfully submitted,

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